



CANNON BUILDING
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DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
BOARD OF COSMETOLOGY AND BARBERING

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PUBLIC MEETING MINUTES:	Board of Cosmetology and Barbering
MEETING DATE AND TIME:	Monday, October 26, 2015 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , Second Floor of the Cannon Building
MINUTES APPROVED:	Approved November 30, 2015

MEMBERS PRESENT

Kathleen Sherwin, Public Member
Gregory Meyers, Professional Member
Albert Niezgoda, Professional Member
Gina Marsilii, Professional Member
Derrick Reed, Professional Member
Hillary Reid, Professional Member
Vic Kennedy, Public Member
Domonique Vicks, Professional Member
Albert Niezgoda, Professional Member
Linda Wilson, Professional Member

MEMBERS ABSENT

Lauren Pressey, Professional Member
Tien Le, Professional Member
Sherry Wilkins, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Kelly, Deputy Attorney General
Christine Mast, Administrative Specialist III
Melanie Alexander, Administrative Specialist II

OTHERS PRESENT

Tan An Duong
Theresa Tucci
Cloreese McCray

CALL TO ORDER

Mr. Reed called the meeting to order at 09:18 a.m.

REVIEW OF MINUTES

A motion was made by Ms. Sherwin, seconded by Ms. Marsilii, to approve the September 28, 2015 meeting minutes as written. The motion carried unanimously.

UNFINISHED BUSINESS

Re-Review of Applications

After re-review of the application for Tanan Duong, a motion was made by Mr. Meyers, seconded by Ms. Sherwin, to approve the application; experience provided does not meet minimum requirements. The motion carried unanimously.

PTD Hearing

Ms. Kelly called the hearing to order at 09:24 and stated that today's hearing was a result of the Board proposing to deny the cosmetologist apprentice application of Cloreese McCray. Ms. Kelly entered as Board exhibit #1 the Mr. McCray's application and supporting documents. The Board members were introduced and Ms. McCray was sworn in.

Ms. McCray started her testimony by stating that she did commit the crimes listed on her criminal background check and that it was a mistake. She stated that it has been well over 5 years, and doing hair is something she has always enjoyed doing, and she would like the chance to prove that she can be a productive member of society.

Timothy May the owner of the 806 salon spoke on her behalf. He stated that he has known Ms. McCray for over 7 years and that she is always willing to sacrifice for her family and it has taken a lot of courage for her to speak to the Board about her past.

Ms. Kelly asked Ms. McCray if she has been in any other legal trouble since 2003. Ms. McCray stated that she had some sort of traffic violation in 2013, Ms. Kelly asked if that was all, to which Ms. McCray stated something happened in 2013 but she is not on probation she only had to pay a fine and that was it.

The Board went into deliberations at 09:42. Ms. Kelly advised them that they must decide whether she can practice professionally and competently without posing a risk to the public. The Board agreed to grant her a waiver for a cosmetologist apprentice license.

A motion was made by Ms. Sherwin, seconded by Mr. Meyers, to grant the waiver and issue the cosmetologist apprentice license. The motion carried unanimously.

The meeting went off record and adjourned at 09:47. Verbatim testimony is available via audio recording.

Review of Apprentice Curriculum and Review of Proposed Theory Topics for Merged Instruction Programs

A motion was made by Ms. Sherwin, seconded by Mr. Meyers, to table the discussion until the next meeting. The motion carried unanimously.

NEW BUSINESS

Ratification of Applications

A motion was made by Ms. Sherwin, seconded by Ms. Marsilii, to accept the Aesthetician ratification(s) of: Angela D. Siegel, and Julia Ann Crothers. The motion carried unanimously.

A motion was made by Ms. Sherwin, seconded by Ms. Marsilii, to accept the Barber/Master Barber ratification(s) of: David Austin Penn and Zachary M Cullen The motion carried unanimously.

A motion was made by Ms. Sherwin, seconded by Ms. Marsilii, to accept the Cosmetologist ratification(s) of: Luis Francisco Hernandez-Colon, Thanh Thuy Thi Tran, Ngoan Thi Nguyen, Randi N. Reeves, Ann Szafranski, and Tila Hooven. The motion carried unanimously.

Review of Reciprocity Applications

A motion was made by Ms. Marsilii, seconded by Mr. Meyers, to approve the reciprocity application(s) of: Tho Ha Pham – Cosmetologist (PR), Marie G. Palmer – Cosmetologist (PA), Srey L Kong – Cosmetologist (PR), Lisa A. Dickinson – Barber (MD), Lena Thi Duong – Nail Technician and (PA), Ismara Ortiz – Cosmetologist (PA). The motion carried unanimously.

A motion was made by Ms. Sherwin, seconded by Mr. Meyers, to propose to deny the Cosmetologist application for Linh Nguyen (TX) for actions by the applicant to obtain licensure by fraudulent means. The motion carried unanimously.

A motion was made by Mr. Meyers, seconded by Mr. Niezgoda, to approve the reciprocity application(s) of: Mihaela Houston – Cosmetologist (NY), Hanh Hoang – Cosmetologist (PA), and Angel L. Colon De Leon – Barber (PR). The motion carried unanimously.

Review of Shop/Salon Applications

A motion was made by Ms. Marsilii, seconded by Mr. Meyers, to approve the Shop/Salon Application(s) of: Ambition Hair Studio, Pais Salon, Creative Cut's Hair Salon, LLC, Dominican Beauty Salon, SC Newark, LLC. dba Sport Clips, Irena, Salon Blondi, Faze 2 Beauty Salon, Venus Nails, Pink Salon, Top Notch Gentlemen's Salon, Graffiti Hair Studio, and Ulta Beauty The motion carried unanimously.

Review of Applications by the DAG

Under advisement from Ms. Kelly, a motion was made by Ms. Marsilii, second by Mr. Meyers to propose to deny the aesthetician by exam application of Kelly Mullins for her criminal background record. The motion carried unanimously.

Under advisement from Ms. Kelly, a motion was made by Ms. Sherwin, second by Ms. Marsilii to propose to deny the barber apprentice application of Jabar Rahim Wilson for his criminal background record. The motion carried unanimously.

Complaint Status

08-116-13 – Investigative Unit	08-27-15 – Attorney General
08-05-14 – Investigative Unit	08-28-15 – Hearing Unit
08-33-14 – Hearing Unit	08-29-15 – Attorney General
08-49-14 – Investigative Unit	08-30-15 – Attorney General
08-02-15 – Investigative Unit	08-32-15 – Attorney General
08-04-15 – Investigative Unit	08-33-15 – Hearing Unit
08-08-15 – Attorney General	08-34-15 – Investigative Unit
08-24-15 – Attorney General	08-35-15 – Hearing Unit
08-25-15 – Attorney General	08-37-15 – Investigative Unit
08-26-15 – Attorney General	08-38-15 – Investigative Unit

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MISCELLANEOUS REVIEW & DISCUSSION

Braiding

Ms. Kelly will work on the language for an exemption with restrictions to be added to the rules and regulations

Eyelashes & Microdermabrasion (MDA)

The Board discussed in some detail the creation of a statute along with what the requirements will be. The Board will continue the discussion at the next meeting.

REVIEW AND DISCUSSION OF CONSENT AGREEMENT(S)

After review and discussion of the consent agreement for Thuy Thi Thu Tran a motion was made by Ms. Sherwin, seconded by Mr. Meyers, to reject the consent agreements as written.

After review and discussion of the consent agreement for Kevin Nguyen a motion was made by Ms. Le, seconded by Mr. Meyers, to approve the consent agreements as written.

CORRESPONDENCE

Karol Ferrin asked if she could perform MDA in a spa without physician supervision. The Board discussed the matter and came to the conclusion that there is no law, rule or regulation stating that it must be performed under physician supervision. A cosmetologist or an aesthetician may perform MDA without supervision at this time; however the law may change in the future.

OTHER BUSINESS BEFORE THE BOARD

PUBLIC COMMENT

Theresa Tucci was concerned that what she is teaching may not be legal because they learn things that are not in the laws, rules and regulations. She stated that the Board should think about revising the scope of practice so that she can teach her students better. The Board stated that they are revising the regulations.

NEXT SCHEDULED MEETING

The next Board meeting will be held on Monday November 30, 2015 at 9:00 a.m. in conference room A.

ADJOURNMENT

With no further business before the Board, a motion was made by Ms. Sherwin, seconded by Mr. Meyers, to adjourn the meeting. The motion carried unanimously. The meeting adjourned and went off record at 10:43a.

Respectfully submitted,

Melanie Alexander
Administrative Specialist II